

REMARKS

Claims 26-38, 40-50, 77, 80, 83, 89-91, 96, 99 and 102 are all the claims pending in the application.

Preliminary Matters

In this Amendment, Applicant has amended claims 26, 47, 49, 77 and canceled claims 1-25, 51-76, 78-79, 81-82, 84-88, 92-95, 97-98, 100-101, 103, 105 from further consideration in this application. Applicant is not conceding that the subject matter encompassed by claims 1-26, 47, 49, 51-79, 81-82, 84-88, 92-95, 97-98, 100-101, 103 and 105, prior to this Amendment is not patentable over the art cited by the Examiner. Claims 26, 47, 49, 77 are amended and claims 1-25, 51-76, 78-79, 81-82, 84-88, 92-95, 97-98, 100-101, 103, 105 are canceled in this Amendment solely to facilitate expeditious prosecution of the application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims 1-26, 47, 49, 51-79, 81-82, 84-88, 92-95, 97-98, 100-101, 103 and 105, as presented prior to this Amendment and additional claims in one or more continuing applications.

Claim Rejections under 35 U.S.C. § 103

Claims 1-4, 6-13, 15-29, 31-38, 40-54, 56-63 and 65-103 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,211,869 to Loveman et al. (hereinafter "Loveman"), over U.S. Patent No. 6,414,725 to Clarin et al. (hereinafter "Clarin"), and also over U.S. Patent No. 6,134,378 to Abe et al. (hereinafter "Abe"). Claims 5, 30, and 55 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Loveman, Clarin, and Abe and also over the "VideoUniversity.com" website (hereinafter "VideoUniversity"), and claim 105 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Loveman, Clarin, and Abe,

and also over U.S. Patent No. 6,360,234 to Jain et al. (hereafter “Jain”). For at least the following reasons, Applicant respectfully traverses the rejections.

As noted above, claims 1-25, 51-76, 78-79, 81-82, 84-88, 92-95, 97-98, 100-101, 103 and 105 are canceled. Therefore, the Examiner’s rejections with respect to these claims are moot.

Independent claims 26, 47, 49 and 77 are amended and recite subject matter similar to what was discussed in the telephonic interview of on August 13, 2008. Specifically, these claims recite in some variation:

“wherein a verification process is performed on the portions of the lower resolution and higher resolution content, the verification process comprising:

reviewing a frame of the lower resolution content and inputting a corresponding timecode associated with the frame of the lower resolution content, by a user,

wherein the reviewed frame and the input timecode are compared with a second frame and corresponding timecode to obtain a frame number of the higher resolution content.”

The Examiner acknowledges that neither Loveman or Clarin “disclose that a user reviews a frame of the lower resolution content, and inputs a corresponding timecode associated with the frame of lower resolution content” (Office Action page 8). Instead, the Examiner relies on Abe to disclose this claimed feature.

Abe discloses an editing device 42 comprising a monitor as a display means, and which conducts the editing process by operating a graphical user interface displayed on the monitor (col. 14, lines 45-50). Abe further discloses entering a “desired real time code” of a frame video signal displayed on the monitor (col. 15, lines 5-9). However, as Applicant discussed with the

Examiner during the interview of August 13, 2008, Abe fails to teach or suggest entering the “desired real time code” as part of a verification means which further comprises comparing the frame for which the timecode was entered (reviewed frame) with a second frame and corresponding timecode to obtain a frame number of the higher resolution content.

Accordingly, neither Loveman, Clarin nor Abe, independently or in combination, teach or suggest the claimed invention as recited in claim 26. Claims 47, 49 and 77 are amended to recite one or more features analogous to those discussed above with respect to claim 26, and are therefore patentable at least for reasons analogous to those given above with respect to claim 26. Accordingly, Applicant respectfully submits that claims 26, 47, 49 and 77 are patentable over the applied references. Applicant further submits that claims 27-38, 40-46, 48, 50, 80, 83, 89-91, 96, 99 and 102 are patentable at least by virtue of their respective dependency on claims 26, 47, 49 or 77.

New Claims

Applicant adds new claims 106-108, support for which may be found throughout the specification. Applicant respectfully submits that these claims are patentable at least by virtue of the subject matter recited therein, and at least by virtue of their dependency from claim 26.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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